§ 103(a) "as being unpatentable over Deutsch et al. U.S. Patent 6,028,922 in view of Rogers et al, U.S. Patent 5,946,386." *See* Office Action of July 12 at Pg. 2, 13. Each of these claim rejections is traversed in light of the amendments made hereinabove.

The present invention, as currently claimed, relates to a system (claim 1) and a method (claim 17) for controlling voice and data communication among various telephone sets. Each of Applicant's independent claims (1 and 17) recite the following inventive features:

(1) enabling both a CPU controlled telephone exchange switch and a voice mail system to generate messages that can be transferred across a data link;

(2) selectively controlling the telephone exchange switch by way of the exchanged messages;

(3) providing an interactive telephone set with a display and a control switch, wherein messages can be displayed on the set in response to the exchange of messages between the voice mail system and the exchange switch.

The claimed invention has many diverse applications and can be used for: obtaining the number of a calling party even in the absence of a separate means for caller identification (note Fig. 3, claims 4-5 and 20-21); sending voice mail messages to other users without the need for accessing a mailbox location (note Fig. 4, claims 8-9, 23-24 and 27-28); improved call distribution (note Figs. 5 and 7, claims 10-11, 25-26); automatic updating of a voice mail system database (note Fig. 6, claims 14-15, 29); providing system access across the Internet (note Fig. 8, claims 16, 30-31).

None of the references cited by the examiner, taken alone or in any possible

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combination, teach or suggest the inventive features currently claimed. Thus, Applicant respectfully requests reconsideration of the rejection of claims 1 and 17 under 35 U.S.C. §103(a). Likewise, Applicant respectfully requests reconsideration of the Examiner's rejection of all claims that depend from claims 1 and 17 (*i.e.* claims 2-16 and 18-31).

The Examiner's rejection of claims 1 and 17 was based upon a combination of Deutsch '922 and Rogers '386. Deutsch '922 discloses a system whereby a user may defer answering a telephone call by pressing an appropriate button at the station set. Depressing the button causes a data message to be sent to the system's voice response unit. However, the switching system (note column 2, lines 50-61) of Deutsch '922 does not include a central processing unit (CPU), nor does it include the capacity for generating messages. This feature is specifically recited in all pending claims. Additionally, Deutsch '922 fails to teach or suggest a system wherein messages are exchanged between a voice mail system and an exchange switch. Deutsch '922 similarly fails to teach or suggest displaying information on the display of a telephone as a result of a message exchange between a voice mail system and exchange switch. These deficiencies can not be remedied through the combination of Deutsch '922 with Rogers '386 as the Examiner contends.

Rogers '386 discloses a call management system that provides call control from a workstation computer. Rogers '386 contains no teaching or suggestion of providing an interactive telephone set (*i.e.* a set with a display and a control switch). In fact, Rogers specifically teaches away from this feature, "Fig. 1 is an overall block

diagram of one embodiment of the improved Call Management System, in which call control is provided by the user through a networked workstation computer; *not* a conventional telephone instrument." *See* '386 Patent, Column 6, Lines 44- 47 (emphasis added). Rogers '386 makes it clear that any control functions take place via a user's workstation computer.

Thus, even if Rogers '386 suggested message exchange between a voice mail system and an exchange switch, the messages would not be for display upon a telephone set. In fact, although Rogers '386 suggests that its exchange switch can be integrated with a call management computer (note Column 7, lines 59-60), there is no teaching or suggestion of enabling the switch to generate any messages.

Thus, any combination of Deutsch '922 and Rogers '386 proposed by the Examiner would still be missing several of Applicant's claimed inventive features. The missing features include:

(1) enabling both a CPU controlled telephone exchange switch and a voice mail system to generate messages that can be transferred across a data link;

(2) selectively controlling the telephone exchange switch by way of the exchanged messages;

(3) providing an interactive telephone set with a display and a control switch, wherein messages can be displayed on the set in response to the exchange of messages between the voice mail system and the exchange switch.

Thus, applicant urges that claims 1 and 17, as well as all dependent claims (*i.e.* 2-16 and 18-31) are allowable over the art of record.

The Examiner also issued the following rejections of various dependent claims. Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over Deutsch '922 in view of Rogers '386 and further in view of U.S. Patent 5,844,968 to Choi. Dependent claim 15 was rejected under 35 U.S.C. §103(a) as being unpatentable over Deutsch '922 in view of Rogers '386 and further in view of U.S. Patent 5,311,576 to Brunson. Claim 20 was rejected under 35 U.S.C. §103(a) in view of Deutsch '922 in view of Rogers '386 and further in view of U.S. Patent 6,396,906 to Kaplan. Finally, claims 30-31 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Deutsch '922 in view of Rogers '386 and further in view of U.S. Patent 6,396,908 to O'Donovan.

Specifically, the Examiner relies upon Choi '968 for a teaching of using an RS232C line between a key telephone system and an independent voice mail system. Brunson '576 is used for a teaching of storing voice mail system port information in an administration database. Kaplan '906 is used for a teaching of using caller ID to obtain an incoming callers phone number. Finally, O'Donovan '908 is relied upon for a teaching of transferring messages between two remote parties. However, even assuming that the Examiner's contentions regarding these references are true, the proposed combinations would still be absent several claimed features, including:

(1) enabling both a CPU controlled telephone exchange switch and a voice mail system to generate messages that can be transferred across a data link;

(2) selectively controlling the telephone exchange switch by way of the

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exchanged messages;

(3) providing an interactive telephone set with a display and a control switch, wherein messages can be displayed on the set in response to the exchange of messages between the voice mail system and the exchange switch.

Accordingly, Applicant respectfully requests that the Examiner's rejection of the pending claims on the basis of 35 U.S.C. §103(a) be withdrawn.

All of the grounds for objection and rejection are deemed overcome on the basis of the claim amendments and arguments made here above. The application should now be in condition for allowance. Should any minor points remain prior to issuance of a Notice of Allowance, the Examiner is requested to telephone the undersigned at the below-listed telephone number.

The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 50-1667.

Respectfully submitted,

By: _____

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